

MINUTES

MONTANA SENATE 65th LEGISLATURE - REGULAR SESSION COMMITTEE ON NATURAL RESOURCES

Call to Order: Chair Chas Vincent, on April 7, 2017 at 3:00 PM, in Room 303 Capitol

ROLL CALL

Members Present:

Sen. Chas Vincent, Chair (R)
Sen. Jeffrey W. Welborn, Vice Chair (R)
Sen. Dick Barrett (D)
Sen. Jill Cohenour (D)
Sen. Jennifer Fielder (R)
Sen. Jedediah Hinkle (R)
Sen. Mary McNally (D)
Sen. Mike Phillips (D)
Sen. JP Pomnichowski (D)
Sen. Tom Richmond (R)

Members Excused: Sen. Duane Ankney (R)
Sen. Pat Connell (R)

Members Absent: None

Staff Present: Linda Keim, Committee Secretary
Hope Stockwell, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 489, 4/4/2017; HB 622, 4/4/2017
Executive Action: Be Adopted: SR 20, SR 21, SR 43, SR 44
Be Concurred In: HB 429, HB 344, HB 339, HB 433, HB 622
Tabled: HB 432, HB 481, HB 555

HEARING ON HB 489

Opening Statement by Sponsor:

00:01:34 Rep. Mark Noland (R), HD 10, opened the hearing on HB 489. Provide regulations for moored vessels.

Proponents' Testimony:

00:11:27 Michelle Ahern, self, owner, lakefront property, Somers

[EXHIBIT\(nas73a01\)](#)

00:20:44 Rex Boller, self, Lakeside

00:24:01 Jordan Thompson, Confederated Salish and Kootenai Tribes of the Flathead Reservation

00:24:42 Thompson Smith, chair, Flathead Basin Commission (FBC)

00:25:15 Phil Kilbreath, Boating Law Administrator, Department of Fish, Wildlife and Parks (FWP)

[EXHIBIT\(nas73a02\)](#)

00:26:45 Michael Durglo, Confederated Salish and Kootenai Tribes of the Flathead Reservation

00:27:40 Shawn Thomas, division administrator, Department of Natural Resources and Conservation

00:28:35 Bill Myers, marina operator, Bayside Park and Marine Center LLC, Big Fork (BPMC)

Opponents' Testimony:

00:35:00 Benjamin Lard, self, Somers Bay

[EXHIBIT\(nas73a03\)](#)

00:44:05 Tony Price, self, Flathead Lake

00:51:37 Patrick Campanella, self, Lakeside; former owner, fishing charter business

00:55:12 Ryan Price, self, Flathead Lake

00:56:57 Vincent Ellingson, self, Lakeside

Informational Testimony: None

Questions from Committee Members and Responses:

00:58:22 Sen. Phillips

00:58:29 Rep. Noland

00:59:17 Sen. Phillips

01:01:08 Mr. Lard, self

01:02:30 Sen. Fielder

01:04:36 Mr. Kilbreath, FWP

01:05:04 Sen. Fielder

01:07:10 Mr. Campanella, self

01:08:13 Sen. Barrett

01:08:55 Rep. Noland
 01:12:03 Sen. Cohenour
 01:13:07 Mr. Kilbreath
 01:14:35 Sen. Cohenour
 01:15:48 Mr. Smith, FBC
 01:16:23 Sen. Hinkle
 01:17:16 Mr. Myers, BPMC
 01:18:36 Sen. Fielder
 01:20:33 Rep. Noland
 01:21:03 Sen. McNally
 01:21:34 Mr. Myers
 01:24:15 Chair Vincent
 01:24:53 Mr. Kilbreath
 01:25:57 Chair Vincent

EXHIBIT(nas73a04)

01:27:09 Mr. Lard
 01:27:26 Chair Vincent
 01:28:27 Rep. Noland

EXHIBIT(nas73a05)

Closing by Sponsor:

01:29:28 Rep. Noland
 01:31:47 Chair Vincent

Senator Connell entered the meeting.

HEARING ON HB 622

Opening Statement by Sponsor:

01:32:08 Rep. Mike Cuffe (R), HD 2, opened the hearing on HB 622. Generally revise laws related to invasive species.

Proponents' Testimony:

01:37:54 Mike Volesky, Department of Fish, Wildlife and Parks (FWP)
 01:42:09 Ray Beck, Department of Natural Resources and Conservation
 01:42:30 Ben Thomas, director, Department of Agriculture
 01:43:00 Gary Wiens, Montana Electric Cooperatives' Association
 01:43:40 Thompson Smith, chair, Flathead Basin Commission (FBC)
 01:49:23 Jordan Thompson, Confederated Salish and Kootenai Tribes of the Flathead Reservation
 01:52:52 Celestine Duncan, self, private consultant
 01:53:43 Brian Ohs, Montana Trout Unlimited; also speaking for Montana Audubon
 01:54:08 Tim Burton, executive director, Montana League of Cities and Towns
 01:54:45 Mike Durglo, Confederated Salish and Kootenai Tribes of the Flathead Reservation

01:58:03 Mariah Durglo, Confederated Salish and Kootenai Tribes of the Flathead Reservation
 01:58:29 Sen. Lea Whitford, SD 8
 01:59:51 Mike Murphy, Montana Water Resources Association
 02:00:32 Eric Bryson, Montana Association of Counties
 02:00:49 Krista Lee Evans, Association of Gallatin Agricultural Irrigators; Senior Water Rights Coalition
 02:01:09 Jay Bodner, Montana Stockgrowers Association
 02:01:45 Jeff Barber, Clark Fork Coalition
 02:03:00 Chelcie Cargill, Montana Farm Bureau Federation
 02:03:36 Neal Ullman, Montana Conservation Voters

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

02:07:13 Sen. Fielder
 02:12:17 Mr. Volesky, FWP
 02:12:34 Sen. Hinkle
 02:13:50 Rep. Cuffe
 02:14:23 Sen. Hinkle
 02:14:50 Mr. Volesky
 02:15:28 Sen. Hinkle
 02:17:20 Rep. Cuffe
 02:18:33 Chair Vincent
 02:20:43 Mr. Volesky
 02:21:07 Chair Vincent
 02:21:32 Mr. Smith, FBC
 02:22:18 Sen. Hinkle
 02:22:23 Mr. Smith

Closing by Sponsor:

02:22:56 Rep. Cuffe
 02:27:52 Chair Vincent
 02:27:58 Recess
 02:37:51 Reconvene

EXECUTIVE ACTION ON SR 20

02:38:01 **Motion:** Sen. Welborn moved that **SR 20 BE ADOPTED.**

Discussion:

02:38:18 Sen. Barrett

02:38:53 **Vote:** Motion carried unanimously by voice vote. Sen. Ankney voted by proxy.

EXECUTIVE ACTION ON SR 21

02:38:57 **Motion/Vote:** Sen. Welborn moved that **SR 21 BE ADOPTED**. Motion carried unanimously by voice vote. Sen. Ankney voted by proxy.

EXECUTIVE ACTION ON SR 43

02:39:41 **Motion/Vote:** Sen. Welborn moved that **SR 43 BE ADOPTED**. Motion carried unanimously by voice vote. Sen. Ankney voted by proxy.

EXECUTIVE ACTION ON SR 44

02:40:23 **Motion/Vote:** Sen. Welborn moved that **SR 44 BE ADOPTED**. Motion carried unanimously by voice vote. Sen. Ankney voted by proxy.

EXECUTIVE ACTION ON HB 481

02:40:45 **Motion:** Sen. Welborn moved that **HB 481 BE CONCURRED IN**.

02:41:09 **Substitute Motion/Vote:** Sen. Cohenour made a substitute motion that **HB 481 BE TABLED**. Substitute Motion carried 11-1 by roll call vote with Sen. Fielder voting no. Sen. Ankney voted by proxy.

Discussion:

02:42:43 Sen. Fielder

02:43:14 Chair Vincent

02:43:27 Sen. Fielder

02:44:28 Sen. Pomnichowski

02:44:43 Sen. Phillips

02:44:55 Sen. Fielder

02:45:48 Chair Vincent

EXECUTIVE ACTION ON HB 432

02:46:03 **Motion/Vote:** Sen. Cohenour moved that **HB 432 BE TABLED**. Motion carried 10-2 by roll call vote with Sen. Connell and Sen. Fielder voting no. Sen. Ankney voted by proxy.

EXECUTIVE ACTION ON HB 344

02:47:59 **Motion:** Sen. Welborn moved that **HB 344 BE CONCURRED IN**.

Discussion:

02:48:12 Sen. McNally

02:48:38 **Vote:** Motion carried unanimously by voice vote. Sen. Ankney voted by proxy. Sen. Welborn will carry the bill.

EXECUTIVE ACTION ON HB 555

02:48:56 **Motion:** Sen. Welborn moved that **HB 555 BE CONCURRED IN.**

Discussion:

02:49:06 Sen. Cohenour

02:49:57 **Substitute Motion/Vote:** Sen. Connell made a substitute motion that **HB 555 BE TABLED.** Substitute Motion carried 10-2 by roll call vote with Sen. Fielder and Sen. Hinkle voting no. Sen. Ankney voted by proxy.

EXECUTIVE ACTION ON HB 339

02:51:26 **Motion:** Sen. Welborn moved that **HB 339 BE CONCURRED IN.**

Discussion:

02:51:32 Sen. Cohenour

02:51:56 Sen. Hinkle

02:52:16 Sen. Connell

02:52:29 Sen. McNally

02:52:51 **Vote:** Motion carried 7-5 by roll call vote with Sen. Barrett, Sen. Cohenour, Sen. McNally, Sen. Phillips and Sen. Pomnichowski voting no. Sen. Ankney voted by proxy. Sen. Vincent will carry the bill.

EXECUTIVE ACTION ON HB 429

02:54:39 **Motion:** Sen. Welborn moved that **HB 429 BE CONCURRED IN.**

Discussion:

02:54:58 Sen. Cohenour

02:55:19 **Vote:** Motion carried 11-1 by roll call vote with Sen. Cohenour voting no. Sen. Ankney voted by proxy. Sen. Connell will carry the bill.

EXECUTIVE ACTION ON HB 433

02:56:41 **Motion:** Sen. Welborn moved that **HB 433 BE CONCURRED IN.**

Discussion:

02:56:46 Sen. Cohenour

02:57:33 Chair Vincent

02:58:01 Sen. Connell

02:58:55 **Vote:** Motion carried 7-5 by roll call vote with Sen. Barrett, Sen. Cohenour, Sen. McNally, Sen. Phillips and Sen. Pomnichowski voting no. Sen. Ankney voted by proxy. Sen. Vincent will carry the bill.

Discussion:

03:00:19 Chair Vincent

03:00:44 Sen. Hinkle

EXECUTIVE ACTION ON HB 622

03:01:00 **Motion/Vote:** Sen. Cohenour moved that **HB 622 BE CONCURRED IN**. Motion carried unanimously by voice vote. Sen. Ankney voted by proxy. Sen. Vincent will carry the bill.

Committee Business:

03:01:51 Chair Vincent

03:01:53 Sen. Hinkle

03:01:59 Chair Vincent

ADJOURNMENT

Adjournment: 6:09 PM

Linda Keim, Secretary

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Additional Documents:

EXHIBIT([nas73aad.pdf](#))